

**401 KAR 11:030. Wastewater treatment and collection system operators; classification and qualifications.**

RELATES TO: KRS 224.73-110

STATUTORY AUTHORITY: KRS 224.10-100, 224.10-110, 224.73-110

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-110 authorizes the cabinet to promulgate administrative regulations concerning the certification of wastewater. This administrative regulation establishes classification of wastewater treatment and collection operator certifications and establishes the qualifications for certification.

Section 1. Classification of Wastewater Operator Certifications. (1) Wastewater treatment certifications.

(a) Limited certification. As provided in KRS 224.73-110(5), an operator issued a limited certificate may have primary responsibility for a school wastewater treatment plant and collection system.

(b) Class I Treatment certification.

1. A Class I treatment operator may have primary responsibility for a wastewater treatment plant with a design capacity less than or equal to 50,000 gallons per day.

2. A Class I Treatment operator shall not have primary responsibility for a wastewater treatment plant with a larger design capacity.

(c) Class II Treatment certification.

1. A Class II Treatment operator may have primary responsibility for a wastewater treatment plant with a design capacity less than or equal to two (2) million gallons per day.

2. A Class II Treatment operator shall not have primary responsibility for a wastewater treatment plant with a larger design capacity.

(d) Class III Treatment certification.

1. A Class III Treatment operator may have primary responsibility for a wastewater treatment plant with a design capacity less than or equal to seven and one-half (7 1/2) million gallons per day.

2. A Class III Treatment operator shall not have primary responsibility for a wastewater treatment plant with a larger design capacity.

(e) Class IV Treatment certification. A Class IV Treatment operator may have primary responsibility for a wastewater treatment plant of any design capacity.

(2) Wastewater collection certifications.

(a) Class I Collection certification.

1. A Class I Collection operator may have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a design capacity of less than or equal to 50,000 gallons per day.

2. A Class I Collection operator shall not have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a larger design capacity.

(b) Class II Collection certification.

1. A Class II Collection operator may have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a design capacity of less than or equal to two (2) million gallons per day.

2. A Class II Collection operator shall not have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a larger design capacity.

(c) Class III Collection certification.

1. A Class III Collection operator may have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a design capacity of less than or

equal to seven and one-half (7 1/2) million gallons per day.

2. A Class III Collection operator shall not have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a larger design capacity.

(d) Class IV Collection certification. A Class IV Collection operator may have primary responsibility for any wastewater collection system.

(3) Operator in Training designations.

(a) Except as provided in paragraphs (c) and (d) of this subsection, a certified operator with an Operator in Training designation shall not have primary responsibility of a wastewater treatment plant or wastewater collection system.

(b) A certified operator with an Operator in Training designation shall work under the direct supervision of a certified operator who works at the same facility and has obtained a certification level that is equal to or greater than the certification level required to serve in primary responsibility of the facility.

(c) A wastewater Class I Treatment operator with an Operator in Training designation who operates a wastewater treatment plant owned by the operator that serves only one (1) residence:

1. May have primary responsibility for that system; and
2. Shall be exempt from paragraph (b) of this subsection and 401 KAR 11:050, Section 1(2)(b) and (9)(a)3.

(d) If a certified operator also has been issued a wastewater treatment or collection certification without an Operator in Training designation, the operator may have primary responsibility for a wastewater treatment plant or collection system as provided by this section for the certifications that do not have an Operator in Training designation.

Section 2. Wastewater Operator Qualifications: Experience, Education, and Equivalencies. An individual desiring to become a certified operator shall meet the following minimum qualifications prior to the cabinet approving the individual to take a certification examination as provided in 401 KAR 11:050.

(1) The education and experience requirement for each class of wastewater treatment certifications shall be as follows:

(a) Limited certification.

1. Education. A minimum level of education shall not be required.
2. Experience. A minimum level of experience shall not be required.

(b) Class I Treatment certification.

1. Education. A high school diploma or general education development (GED) certificate shall be required; and

2. Experience. One (1) year of acceptable operation of a wastewater treatment plant shall be required.

(c) Class II Treatment certification.

1. Education. A high school diploma or general education development (GED) certificate shall be required; and

2. Experience. Two (2) years of acceptable operation of a wastewater treatment plant shall be required.

(d) Class III Treatment certification.

1. Education. A high school diploma or general education development (GED) certificate shall be required; and

2. Experience. Three (3) years of acceptable operation of a wastewater treatment plant with one (1) year of that experience in a wastewater treatment plant with a design capacity greater than 50,000 gallons per day shall be required.

(e) Class IV Treatment certification.

1. Education. A baccalaureate degree in engineering, science, or equivalent shall be required; and

2. Experience. At least five (5) years of acceptable operation of a wastewater treatment plant shall be required.

a. Three (3) years of the required experience in a wastewater treatment plant with a design capacity greater than two (2) million gallons per day shall be required; and

b. At least two (2) years of primary responsibility in a wastewater treatment plant with a design capacity greater than two (2) million gallons per day shall be required.

(2) The educational and experience qualifications for wastewater collection certifications shall be as follows:

(a) Class I Collection certification.

1. Education. A high school diploma or general education development (GED) certificate shall be required; and

2. Experience. One (1) year of acceptable operation of a wastewater collection system shall be required.

(b) Class II Collection certification.

1. Education. A high school diploma or general education development (GED) certificate shall be required; and

2. Experience. Two (2) years of acceptable operation of a wastewater collection system shall be required.

(c) Class III Collection certification.

1. Education. A high school diploma or general education development (GED) certificate shall be required; and

2. Experience. Three (3) years of acceptable operation of a wastewater collection system with one (1) year of that experience in a wastewater collection system that transports wastewater to a treatment plant with a design capacity of greater than 50,000 gallons per day shall be required.

(d) Class IV Collection certification.

1. Education. A baccalaureate degree in engineering; environmental technology; biological, physical, or chemical sciences; or equivalent shall be required; and

2. Experience. At least five (5) years of acceptable operation of a wastewater collection system shall be required.

a. Three (3) years of the required experience in a wastewater collection system that transports wastewater to a treatment plant with a design capacity of greater than two (2) million gallons per day shall be required; and

b. At least two (2) years of primary responsibility in a wastewater collection system that transports wastewater to a treatment plant with a design capacity of greater than two (2) million gallons per day shall be required.

(3) The educational and experience qualifications for Operator in Training designations shall be as follows:

(a) Class I Treatment and Class I Collection certifications.

1. Education. A high school diploma or general education development (GED) certificate shall be required; and

2. Experience. Experience shall not be required.

(b) All other applicants for the classifications identified in Section 1(1) and (2) of this administrative regulation:

1. Shall have successfully qualified for and passed the certification exam of the same type classification at one (1) level lower than the Operator in Training designation being pursued;

and

2. Shall not have been subject to disciplinary action as provided by 401 KAR 11:050, Section 4.

(4) Substitutions. The cabinet shall allow the following substitutions for the qualifications specified in subsections (1) and (2) of this section:

(a) Education in environmental engineering; environmental technology; and biological, physical, or chemical sciences shall be substituted if the substitution does not exceed fifty (50) percent of the required experience.

1. An associate degree may substitute for two (2) years of experience.

2. A baccalaureate degree may substitute for four (4) years of experience.

3. Education that did not result in a degree in a related field shall be substituted for the required experience as follows:

a. Ten (10) contact hours, one (1) Continuing Education Unit, or one (1) postsecondary education quarter hour with a passing grade shall substitute for 0.022 years of experience.

b. One (1) postsecondary education semester hour with a passing grade shall substitute for 0.033 years of experience.

4. Education applied to the experience requirements established in subsections (1) and (2) of this section shall not be applied to the education requirement.

(b) Experience shall be substituted for the educational requirement as follows:

1. One (1) year of operational experience at a treatment plant shall substitute for one (1) year of education.

2. One (1) year of collection system experience shall substitute for one (1) year of education.

3. The cabinet may allow partial substitution of the education requirement by experience in maintenance, laboratory analysis, or other work related to the collection, treatment or distribution of drinking water or wastewater. To establish how much experience shall be accepted, the cabinet shall determine the degree of technical knowledge needed to perform the work and the degree of responsibility the applicant had in the operation of the system.

4. Experience applied to the education requirement established in subsections (1) and (2) of this section shall not be applied to the experience requirement.

(c) Collection system and treatment experience may be substituted as follows:

1.a. Four (4) years of collection system experience shall be considered equivalent to one (1) year of treatment experience.

b. This substitution shall not account for more than fifty (50) percent of the experience required by subsection (1) of this section.

2. One (1) year of treatment experience shall be considered equivalent to one (1) year of collection system experience. (35 Ky.R. 476; Am. 1213; eff. 3-6-2009; 36 Ky.R. 454; 1052; 1456; eff. 2-5-2010; 36 Ky.R. 2105-A; 37 Ky.R. 51; eff. 8-5-2010.)